



C-10C-08
Zoning
Expansion of Existing Businesses
Brookland District

200 Feet

PS February 2008 Ref: 766-747-9382



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

May 20, 2008

J & L Associates, LLC
P.O. Box 72075
Richmond, VA 23255

McDonald's Corporation
One McDonald's Plaza
Oak Brook, IL 60523

Re: Conditional Rezoning Case C-10C-08

Dear Sirs:

The Board of Supervisors at its meeting on May 13, 2008, granted your request to rezone from R-4 One-Family Residence District to B-3C Business District (Conditional), Parcels 767-747-1789 and 767-747-0666 and Part of Parcel 766-747-9382, described as follows:

Part of Parcel 766-747-9382

Beginning at a point at the southwest intersection of Fountain Avenue and Deep Run Avenue; thence along the western line of Fountain Avenue S 23°20'12" E, a distance of 160.00' to a point; thence leaving said right-of-way S 66°39'48" W, a distance of 40.00' to a point; thence N 23°20'12" W, a distance of 160.00' to a point on the southern line of Deep Run Road; thence along said right-of-way N 66°39'48" E, a distance of 40.00' to the Point of Beginning. Said parcel contains 6,400 S.F. (0.147 Acs.).

Parcel 767-747-1789

Beginning at a point on the eastern line of Fountain Avenue 80.00' south of the southern line of Deep Run Road; thence leaving said right-of-way N 66°39'48" E, a distance of 150.00' to a point; thence S 23°20'12" E, a distance of 40.00' to a point; thence S 66°39'48" W, a distance of 150.00' to a point on the eastern line of Fountain Avenue; thence along said line N 23°20'12" W, a distance of 40.00' back to the point of beginning. Said parcel contains 6,000 S.F. (0.137 Acs.).

Parcel 767-747-0666

Beginning at a point on the western line of Fountain Avenue 240.00' south of the southern line of Deep Run Road; thence along said right-of-way S 23°20'12" E, a distance of 80.00' to a point; thence leaving said right-of-way S 66°39'48" W, a distance of 155.00' to a point; thence N 23°20'12" W, a distance of 80.00' to a point; thence N 66°39'48" E, a distance of 155.00' to the Point of Beginning. Said parcel contains 12,400 S.F. (0.285 Acs.).

The Board of Supervisors accepted the following proffered conditions, dated April 10, 2008, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

Applicable to Parcels 767-747-0666 and 767-747-1789

1. **Parking Lot Lighting.** Parking lot lighting shall be produced from concealed sources of light so as to minimize the impact of such light on any adjacent residential neighborhood. The parking lot lighting shall be reduced to no more than security level following the close of business on the Property. Parking lot lighting standards shall not exceed 25 feet in height.
2. **Signage Limitation.** No advertising signs shall be placed on the Property.
3. **Outdoor Speakers.** No outdoor speakers shall be permitted on the Property.
4. **Fence.** A solid vinyl covered fence of a minimum of five (5) feet in height shall be installed and maintained along boundaries of the Property adjacent to residentially developed property. The design and placement of the fence shall be subject to review and approval at the time of landscape plan review.
5. **Use Limitation.** The Property shall be integrated with and used in conjunction with the adjoining automobile dealership.
6. **Architecture.** Any principal building constructed on the Property shall be of predominantly brick construction and shall be architecturally compatible with existing principal buildings on the adjoining automobile dealership property.

Applicable to Parcel 766-747-9382

7. **Access Restriction.** There shall be no access between the Property and Deep Run Avenue.
8. **Use Limitation.** The only use of the Property first permitted in the B-3 Zoning District shall be its integration with the adjoining automobile dealership.

J & L Associates, LLC and McDonald's Corporation
May 20, 2008
Page 3

The Planning Department has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,


For Virgil R. Hazelett, P.E.
County Manager

pc: Glenn R. Moore, Esq.
Dr. Martha G. Blumenthal, Dir., Research & Planning, Henrico County Schools
Director, Real Estate Assessment
Conditional Zoning Index